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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,880	09/16/2003	Eric S. Fetzer	10971265-3	3106
22879	7590	06/28/2005	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			HOM, SHICK C	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/663,880

Applicant(s)

FETZER ET AL.

Examiner

Shick C. Horn

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 28-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 10, 11, 20 and 28-36 is/are rejected.
- 7) ☒ Claim(s) 6-9, 12-19, 37 and 38 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/19/05 have been fully considered but they are not persuasive.

In page 10 line 7 to page 11 line 19, applicant argued that Forslow does not disclose or teach a second database that services both the first switch for providing circuit switching services and a second switch for providing packet switching services is not persuasive because Fig. 2 shows the Visitor Location Register VLR 44 connected to the GSM circuit-switched network 40 and the GSM packet-switched network 52 and paragraph 0010 which recite VLR 44 containing information about all mobile stations currently located in a corresponding location or service area and receiving data about the roaming mobile station from the Home Location Register, i.e. the first database clearly anticipate the second database communicably coupled to the first switch for providing circuit switching services and communicably coupled to the second switch for providing packet switching services as recited in the claims 1, 28, 34.

Art Unit: 2666

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 10-11, 20, and 28-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Forslow (2003/0039237).

Regarding claim 1:

Forslow discloses the method of managing subscriber data in a telecommunications system, wherein said telecommunications system comprises a first switch for providing circuit switching services and a second switch for providing packet switching services, said method comprising the steps of: receiving one or more messages from a mobile station; requesting the subscriber data from a first database, wherein the subscriber data includes circuit switching data and packet switching data and wherein said first database maintains and stores said subscriber data associated with said mobile station; receiving the subscriber data from the first database; and storing the subscriber data in

Art Unit: 2666

a second database serving a particular service area currently covering said mobile station (see paragraphs 0010-0011, which recite the subscriber data in the HLR database and the visitor location register VLR database whereby the VLR requests and receives data about the roaming mobile station from the HLR and stores it clearly anticipate the corresponding first and second database for storing subscriber data, the step of receiving messages from the mobile station requesting subscriber data from a first database; receiving and storing subscriber data from the first database in the second database as claimed) wherein the second database is communicably coupled to the first switch for providing circuit switching services to the mobile station within said service area, and is communicably coupled to the second switch for providing packet switching services to the mobile station within said service area (see abstract and paragraph 0075 which recite the mobile station being connected via a circuit switch and/or a packet switch as instructed using subscription information from the HLR database clearly anticipate the first switch and second switch for providing circuit and packet switching services to the mobile station, respectively).

Regarding claim 28:

Art Unit: 2666

Forslow discloses the telecommunications system comprising: a first database containing subscriber data of one or more mobile subscribers, wherein the subscriber data includes circuit switching data and packet switching data; a second database communicably linked to the first database, wherein the second database receives the subscriber data contained in the first database and stores the subscriber data for subscribers roaming within a service area covered by the second database (see paragraphs 0010-0011, which recite the subscriber data in the HLR database and the visitor location register VLR database whereby the VLR requests and receives data about the roaming mobile station from the HLR and stores it clearly anticipate the corresponding first and second database for storing subscriber data, the step of receiving messages from the mobile station requesting subscriber data from a first database; receiving and storing subscriber data from the first database in the second database as claimed); a circuit switching network devices device connected to the second database, said circuit switching network device providing circuit switching telecommunications services to the one or more mobile subscribers within said service area based upon the subscriber data stored within said second database; and a packet switching network device connected to the second database, said packet switching network device providing

Art Unit: 2666

packet switching telecommunications services to the one or more mobile subscribers within said service area based upon the subscriber data stored within said second database (see abstract and paragraph 0075 which recite the mobile station being connected via a circuit switch and/or a packet switch as instructed using subscription information from the HLR database clearly anticipate the first switch and second switch for providing circuit and packet switching services to the mobile station, respectively).

Regarding claim 34:

Forslow discloses the computer program embodied on a computer readable medium, said computer program managing subscriber data in a telecommunications system, said computer program (see paragraph 0009 which recite the mobile communications system including the mobile host being a computer terminal clearly anticipate the computer program for managing subscriber data in a telecommunications system) comprising: a code segment for receiving one or more messages from a mobile station; a code segment for requesting the subscriber data from a first database, wherein the subscriber data includes circuit switching data and packet switching data; a code segment for receiving the subscriber data from the first database; and a code segment for storing the subscriber data in a second

Art Unit: 2666

database wherein said second database is associated with a service area currently covering said mobile station (see paragraphs 0010-0011, which recite the subscriber data in the HLR database and the visitor location register VLR database whereby the VLR requests and receives data about the roaming mobile station from the HLR and stores it clearly anticipate the corresponding first and second database for storing subscriber data, the step of receiving messages from the mobile station requesting subscriber data from a first database; receiving and storing subscriber data from the first database in the second database as claimed), a code segment for providing the subscriber data from the second database to a circuit switching network device for providing; circuit switching services to one or more mobile stations within said service area; and a code segment for providing the subscriber data from the second database to a packet switching network device for providing packet switching services to one or more mobile stations within said service area (see abstract and paragraph 0075 which recite the mobile station being connected via a circuit switch and/or a packet switch as instructed using subscription information from the HLR database clearly anticipate the first switch and second switch for providing circuit and packet switching services to the mobile station, respectively).

Art Unit: 2666

Regarding claims 2, 30:

Forslow discloses wherein the first database is a home location register (see paragraphs 0010-0011 which recite the HLR).

Regarding claims 3, 31:

Forslow discloses wherein the second database is a universal visitor location register located in a new or old service area (see paragraphs 0010-0011 which recite the VLR).

Regarding claim 5:

Forslow discloses wherein the step of requesting the subscriber data from the first database comprises the step of sending one or more messages to the first database to request the subscriber data (see paragraph 0011).

Regarding claim 10:

Forslow discloses wherein the one or more messages being sent to the first database to request the subscriber data is an update location signal (see paragraphs 0010-0011).

Regarding claim 11:

Forslow discloses wherein the one or more messages received from the mobile station at the second database is a routing area update request signal (see paragraph 0013 which recite the HLR stores routing information).

Regarding claim 20:

Art Unit: 2666

Forslow discloses wherein the mobile station is roaming from an old service area to a new service area (see paragraph 0010 which recite the roaming mobile station).

Regarding claim 29:

Forslow discloses one or more service areas, wherein each service area includes one or more first databases, the second database, the circuit switching network device, and the packet switching network device (see paragraph 0010-0012 which recite the service areas, the HLR, VLR, packet and circuit switch).

Regarding claim 32:

Forslow discloses wherein the circuit switching network device is a mobile switching centers center for providing circuit switching services to the one or more mobile subscribers (see paragraph 0009 which recite the mobile switching center connected to the circuit-switched network for mobile communications).

Regarding claim 33:

Forslow discloses wherein the packet switching network device is a signaling node for providing packet switching services to the one or more mobile subscribers (see paragraph 0005 which recite providing the packet-switched data services for mobile application).

Regarding claims 4 and 35:

Art Unit: 2666

Forslow discloses the step of a code segment for communicating one or more messages with one or more databases in response to the one or more messages from the mobile station (see paragraphs 0010-0011 which recite the databases for the mobile station).

Regarding claim 36:

Forslow discloses wherein the code segment for requesting the subscriber data from the first database comprises the code segment for sending one or more messages to the first database to request the subscriber data (see paragraphs 0010-0011 which the subscriber data and the databases).

Allowable Subject Matter

4. Claims 6-9, 12-19, and 37-38 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS

Art Unit: 2666

of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C. Hom whose telephone number is 571-272-3173. The examiner can normally be reached on Monday to Friday with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2666

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH



DANGTON
PATENT ATTORNEY